

**CT CORPORATION**  
A WoltersKluwer Company

**Service of Process  
Transmittal**

05/01/2007

Log Number 512176554

**RECEIVED**

**MAY 2 2007**

**MARON MARVEL BRADLEY  
& ANDERSON, P.A.  
COMPLAINT PROCESSING**

**TO:** Complaint Processing  
Maron & Marvel  
1201 North Market Street, Suite 900  
Wilmington, DE, 19801

**RE: Process Served in Texas**

**FOR:** BP Amoco Chemical Company (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Helen J. Burrow, Individually And as Representative of the Estate of David J. Burrow, Deceased, et al., Pltfs. vs. BP Products North America Inc., etc., et al. including BP Amoco Chemical Company, etc., Dfts.

**DOCUMENT(S) SERVED:** Citation, Original Petition, Information Statement

**COURT/AGENCY:** 405th Judicial District Court of Galveston County, TX  
Case # 07CV0393

**NATURE OF ACTION:** Asbestos Litigation - Fatal Injury/Wrongful Death

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Dallas, TX

**DATE AND HOUR OF SERVICE:** By Certified Mail on 04/30/2007 postmarked on 04/26/2007

**APPEARANCE OR ANSWER DUE:** By 10:00 a.m. on the Monday next after the expiration of 20 days - Citation // 7/5/07 at 9:30 a.m. - Status Conference

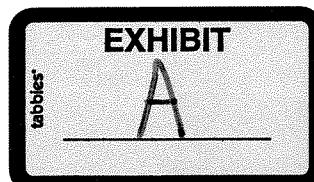
**ATTORNEY(S) / SENDER(S):** Ian P. Cloud  
Heard, Robins, Cloud, & Lubel, L.L.P.  
500 Dallas  
Suite 3100  
One Allen Center  
Houston, TX, 77002  
713-650-1200

**ACTION ITEMS:** SOP Papers with Transmittal, via Fed Ex Priority Overnight, 790729563287  
Image SOP - Page(s): 8  
Email Notification, Complaint Processing lec@maronmarvel.com  
CC Recipient(s)  
William E Maseth, Jr., via Regular Mail

**SIGNED:** C T Corporation System  
**PER:** Beatrice Casarez  
**ADDRESS:** 350 North St. Paul Street  
Dallas, TX, 75201  
**TELEPHONE:** 214-932-3601

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Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of the package only, not of its contents.



## CIVIL CITATION

THE STATE OF TEXAS  
CAUSE NO. 07CV0393-405TH

HELEN J. BURROW, INDIV., ETC., ET AL

VS.

BP PRODUCTS NORTH AMERICA INC. F/K/A AMOCO OIL COMPANY, ET AL

TO: BP AMOCO CHEMICAL COMPANY F/K/A AMOCO CHEMICAL COMPANY, upon whom process of service may be had by serving ITS REGISTERED AGENT, C.T. CORPORATION SYSTEM, 350 NORTH ST. PAUL STREET, DALLAS, DALLAS COUNTY, TEXAS

Defendant, Greeting:  
You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days from the date you were served this citation and ORIGINAL petition, a default judgment may be taken against you. Said written answer may be filed by mailing same to: District Clerk's Office, 600 59TH Street, Ste 4001, Galveston, TX 77551-2388. The case is presently pending before the 405TH Judicial District Court of Galveston County sitting in Galveston, Texas, and the ORIGINAL petition was filed on the 2ND day of APRIL, 2007. It bears cause number 07CV0393 and the parties to the suit are: \*SEE ATTACHED PETITION FOR NAMED\*, Plaintiffs \*SEE ATTACHED PETITION FOR NAMED\*, Defendants.

The name and address of the plaintiff or the attorney of record is:

IAN P. CLOUD, ATTORNEY  
HEARD, ROBINS, CLOUD, & LUBEL, L.L.P.  
500 DALLAS, STE 3100  
HOUSTON, TEXAS 77002

The nature of the demands of said Plaintiff is shown by a true and correct copy of Plaintiff's ORIGINAL petition and made a part hereof.

If this citation is not served, it shall be returned unserved.

Issued and given under my hand and the seal of said court at Galveston, Texas, this the 11TH day of April, A.D., 2007

ATTEST:

LATONIA D. WILSON, DISTRICT CLERK  
District Court, Galveston County, Texas

By Karen Johnson, Deputy  
KAREN JOHNSON

## NOTE:

STATUS CONFERENCE SET 7-5-07 at 9:30 A.M.  
SEE ATTACHED FORM

RECEIVED  
COMPLAINT PROCESSING

===== OFFICER'S OR AUTHORIZED & DISINTERESTED PERSON'S RETURN

Came to hand on 20 day of MAY, 2007 at 02 o'clock PM, and executed in Galveston County, Texas by delivering to the within named defendant BP AMOCO CHEMICAL COMPANY F/K/A AMOCO CHEMICAL COMPANY, by serving REGISTERED AGENT C.T. CORPORATION SYSTEM BRADLEY & ANDERSON by registered or certified mail, return receipt requested, a true copy of this Citation, with the date of delivery endorsed thereon, together with the accompanying true and correct copy of the Plaintiff's ORIGINAL petition, at the following times and places, to-wit:

NAME	Date	Time of Service	Place

Fees - Serving \_\_\_\_\_ Name of Officer or Authorized & Disinterested Person  
Amount \$ \_\_\_\_\_ County, Texas

By \_\_\_\_\_  
Signature of Deputy or Authorized & Disinterested Person

Authorized & Disinterested Person's Verification:

On this day personally appeared \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return. After being duly sworn by me, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

Sworn to and subscribed before me, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Notary's Name Printed: \_\_\_\_\_

Notary Public In and for the State of Texas  
Commission Expires: \_\_\_\_\_

IN THE DISTRICT COURT OF  
GALVESTON COUNTY, TEXAS  
JANUARY 11, 1906  
JAMES M. McILWAIN  
JAMES M. McILWAIN

BP PRODUCTS NORTH AMERICA  
INC. f/k/a AMOCO OIL COMPANY,  
Individually and as Successor-in-Interest  
to Amoco Texas Refining; and  
BP AMOCO CHEMICAL COMPANY  
f/k/a AMOCO CHEMICAL COMPANY

908 JUDICIAL DISTRICT

1. BP Products North America Inc. f/k/a Amoco Oil Company, Individually and as Successor-in-Interest to Amoco Texas Refining is a Maryland corporation doing business in the State of Texas and may be served with citation by serving its registered agent, Prentice-Hall Corporation System at 800 Brazos, Austin, Travis County, Texas 78701.
2. BP Amoco Chemical Company f/k/a Amoco Chemical Company is a Delaware corporation doing business in the State of Texas and may be served by serving its registered agent, C. T. Corporation System, 350 North St. Paul Street, Dallas, Dallas County, Texas.

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s/c 7-5-07✓

mtu 3/29/07

code  
DA

hereinafter referred to as Defendants, and for cause of action Plaintiffs would respectfully show unto the Court and Jury as follows.

I.  
**DISCOVERY CONTROL AND JURY DEMAND**

Plaintiffs intend to conduct discovery of this case under Rule 190.4 (level 3) which requires Court order. In the event this Court does not order a level 3 scheduling order, Plaintiffs shall conduct discovery under Rule 190.3 (level 2). Plaintiffs demand a trial by jury pursuant to the Texas Rules of Civil Procedure.

II.  
**PARTIES**

Helen J. Burrow, Connie E. Poppleton, Diana A. Robinson and Terry Lynn Lovell are the only surviving heirs of David J. Burrow.

III.  
**VENUE AND JURISDICTION**

Both jurisdiction and venue are proper in Galveston County, Texas pursuant to the Texas Civil Practice and Remedies Code. Venue is proper because all or a substantial part of the events giving rise to this cause of action occurred in Galveston County, Texas and/or Defendants maintain a principal office in Texas in Galveston County. This Court has jurisdiction over the controversy because the damages are within the jurisdictional limits of the Court.

IV.  
**BACKGROUND**

David J. Burrow ("decedent") died on April 12, 2005. Plaintiffs would show that Mr. Burrow worked as a pipefitter/boilermaker between approximately 1951 and

1986 while employed by Defendants. During this time he was exposed to asbestos dust and/or fibers. As a result of his exposure to asbestos dust and/or fibers while employed by Defendants, David J. Burrow contracted pulmonary asbestosis and colon cancer which ultimately took his life.

V.  
**CAUSES OF ACTION**

This action against the decedent's employers for gross neglect is brought under the authority of the Constitution of the State of Texas, TEX. CONST. Art. 16, sec. 26.

The injuries, damages, and resulting death of David J. Burrow directly and proximately caused by the acts and/or omissions of the Defendants constituting negligence, gross negligence, gross neglect and/or malice.

VI.  
**DAMAGES**

The acts or omissions of the Defendants, acting through their agents, employees, and/or representatives, was of such character as to make the Defendants guilty of malice. The conduct of the Defendants was in heedless and reckless disregard of the rights of David J. Burrow, and involved such an entire want of care as to establish that it was a result of conscious indifference to the rights, welfare, and safety of David J. Burrow. As a result of the conduct of Defendants, acting through their agents, employees, and/or representatives, Plaintiffs herein seek exemplary damages in such an amount as appropriate from the jury.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that the Defendants be cited to appear and answer herein, and that upon final trial the Plaintiffs have judgment against the Defendants and recover damages from the Defendants, in the total sum of their damages, actual and exemplary, in an amount greatly in excess of the minimal jurisdictional limits of the Court, plus costs of court, pre-judgment and post-judgment interest allowed by Texas law, and for such other and further relief, general and special, legal and equitable, to which the Plaintiffs may show themselves to be justly entitled.

Respectfully submitted,

HEARD, ROBINS, CLOUD, & LUBEL, L.L.P.

By: 

Ian P. Cloud  
TBA No. 00783843  
One Allen Center  
500 Dallas, Ste. 3100  
Houston, Texas 77002  
(713) 650-1200  
(713) 650-1400 facsimile

ATTORNEY FOR PLAINTIFFS

07 APR -2 PM 4: 25  
JAMES R. CLOUD  
DIRECTOR  
GALVESTON COUNTY TV